

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant(s): Gordon et al.

Case: DIVA/173

Serial No.: 09/201,530

Filed: 11/30/98

Examiner: Andrew Y. Koenig

Group Art Unit: 2611

Title: METHOD AND APPARATUS FOR PRODUCING DEMAND REAL-TIME TELEVISION

a
RECEIVED
7-1-02RESPONSECOMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

This is in response to the Office Action mailed April 1, 2002.

Please amend this application as follows.

IN THE SPECIFICATION

Page 1, replace the CROSS SECTION TO A RELATED APPLICATION with the following CROSS SECTION TO A RELATED APPLICATION:

CROSS-REFERENCE TO A RELATED APPLICATION

The disclosure contained in this application is related to U.S. patent application serial number 09/201,529 (attorney docket number 167), filed simultaneously herewith and herein incorporated by reference.

IN THE CLAIMS

Please replace claims 1, 5, 8-9, 12-15, 17-19 and 23-24 with the following:

amended claims:

1. (Amended)

Apparatus for providing demand television comprising:

01 FC:202 84.00 CH

TELEFAX COVER SHEET

MOSER, PATTERSON & SHERIDAN, LLP

ATTORNEYS AT LAW
595 SHREWSBURY AVENUE
FIRST FLOOR
SHREWSBURY, NJ 07702
TELEPHONE (732) 530-9404
TELEFAX (732) 530-9808

THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR COMPANY LISTED BELOW.
IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE NOT THE INTENDED
RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE MAY CONTAIN PRIVILEGED OR
CONFIDENTIAL MATERIAL, AND YOUR DUE REGARD FOR THIS INFORMATION IS
NECESSARY. YOU MAY ARRANGE TO RETURN THIS MATERIAL BY CALLING THE FIRM
LISTED ABOVE AT (732) 530-9404

***** THIS MESSAGE HAS 17 PAGES INCLUDING THIS SHEET

TO: Assistant Commissioner of Patents

FAX NO.: 703-872-9314

FAX NO.: 703-872-9314

FROM: Eamon J. Wall

DATE: 7/1/02

MATTER: Serial No. 09/201,530 Filed: 11/30/98

DOCKET NO.: DIVA/173

APPLICANT: GORDON ET AL.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

Petition
 Disclosure Statement & PTO-1449
 Priority Document
 Drawings (____ sheets) informal
 X Amendment

Transmittal Letter (2 copies)
 Fee Transmittal (2 copies)
 Deposit Account Transaction
 Facsimile Transmission Certificate
dated 7/1/02

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant
Commissioner for Patents, Washington, DC 20231 on 7/11/02
Facsimile No. 703-746-7239

LAURA E. CRATER
Name of person signing this certificate

Jane C. Cratt, 7/1/02

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM AND EXTENSION REQUEST

(to be used for all correspondence after initial filing)

Application Number	09/201,530
Filing Date	11/30/98
First Named Inventor	Gordon
Group Art Unit	2611
Examiner Name	Andrew Y. Koenig

Total Number of Pages in This Submission	Attorney Docket Number	DIVA/173
--	------------------------	----------

ENCLOSURES (check all that apply)

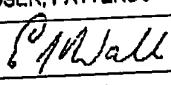
 Fee Transmittal Form Fee Attached Amendment / Response After Final Affidavits/declaration(s) Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

Remarks

The Commissioner is authorized to charge the \$84 additional claim fee and any other fees due including but not limited to any extension fee pursuant to 1.136(a) to Deposit Account No. 20-0782. A duplicate copy of this transmittal is attached.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eamon J. Wall MOSER, PATTERSON & SHERIDAN, LLP
Signature	
Date	6/27/02

Official

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 84

Complete If Known	
Application Number	08/201,530
Filing Date	11/30/98
First Named Inventor	Gordon
Examiner Name	Andrew Y. Koenig
Group / Art Unit	2811
Attorney Docket No.	DIVA/173

DISPENSIVE
7-1-02

METHOD OF PAYMENT (check one)	
1. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
Deposit Account Number	20-0782
Deposit Account Name	MOSER, PATTERSON & SHERIDAN, LLP
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
2. <input type="checkbox"/>	Payment Enclosed:
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION

1. BASIC FILING FEE				
Large Entity Fee	Small Entity Fee	Entity Code	Fee (\$)	Fee Description
101 740	201 370	370	130	Utility filing fee
106 330	206 165	165	130	Design filing fee
107 510	207 255	255	130	Plant filing fee
108 740	208 370	370	130	Release filing fee
114 160	214 80	80	130	Provisional filing fee
SUBTOTAL (1)				(\$ 0)

2. EXTRA CLAIM FEES					
Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
24	5		24 - 24 = 0	X 0 = 0	0
			5 - 5 = 0	X 42 = 0	0
SUBTOTAL (2) (\$ 0)					

Large Entity Fee	Small Entity Fee	Entity Code	Fee (\$)	Fee Description
103 18	203 9	9	130	Claims in excess of 20 independent claims in excess of 3
102 84	202 42	42	130	Multiple dependent claim, if not paid
104 280	204 140	140	130	** Reissue independent claims over original patent
108 84	208 42	42	130	** Reissue claims in excess of 20 and over original patent
110 18	210 9	9	130	
SUBTOTAL (2) (\$ 0)				

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)				
3. ADDITIONAL FEES	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	65	Surcharge - late filing fee or oath	
127 50	227 25	25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	130	Non-English specification	
147 2,520	147 2,520	2,520	For filing a request for reexamination	
112 920*	112 920*	920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	55	Extension for reply within first month	
116 400	216 200	200	Extension for reply within second month	
117 820	217 460	460	Extension for reply within third month	
118 1,440	218 720	720	Extension for reply within fourth month	
128 1,960	228 980	980	Extension for reply within fifth month	
119 320	219 160	160	Notice of Appeal	
120 320	220 160	160	Filing a brief in support of an appeal	
121 280	221 140	140	Request for oral hearing	
138 1,510	138 1,510	1,510	Petition to Institute a public use proceeding	
140 110	240 55	55	Petition to revive - unavoidable	
141 1,280	241 840	840	Petition to revive - unintentional	
142 1,280	242 640	640	Utility issue fee (or reissue)	
143 480	243 230	230	Design issue fee	
144 620	244 310	310	Plant issue fee	
122 130	122 130	130	Petitions to the Commissioner	
123 50	123 50	50	Processing fee under 37 CFR 1.17 (q)	
128 180	126 180	180	Submission of Information Disclosure Stmt	
581 40	581 40	40	Recording each patent assignment per property (times number of properties)	
145 740	248 370	370	Filing a submission after final rejection (37 CFR § 1.129(e))	
149 740	249 370	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	370	Request for Continued Examination (RCE)	
169 900	169 800	800	Request for expedited examination of a design application	
Other fee (specify)				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 0)

Complete (if applicable)					
SUBMITTED BY					
Name (Print/Type)	Eamon J. Wall	Registration No. Attorney/Agent)	39,414	Telephone	732-530-9404
Signature	<i>E.J. Wall</i>			Date	6/27/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.